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The mission of the North Carolina State Highway Patrol is to ensure safe, efficient transportation on our streets and highways, reduce crime, protect against terrorism, and respond to natural and manmade disasters. This mission will be accomplished in partnership with all levels of government and the public, through quality law enforcement services and education based upon high ethical



**An internationally
accredited agency**

North Carolina Department of Crime Control & Public
Safety
Division of State Highway

Technical Services Unit

22 October, 2007

Secretary,
Federal Communications Commission,
236 Massachusetts Avenue NE, Suite 110
Washington, DC 20002

**REF: DA 07-4168, PS Docket No. 06-229; WT Docket No. 96-86
700 MHz RELOCATION CERTIFICATION INFORMATION**

Sir/Madam,

The State of North Carolina was granted **License WPTZ771** by the FCC on 18 January, 2002. This license granted the state access to those channels referred to as "State Channels" within the frequency ranges 764-776 MHz and 794-806 MHz. The State of North Carolina has placed four of the appointed channels into operation statewide for simplex, portable to portable communications and for mobile repeater communications. The four channels currently in simplex operation are; 764.1500, 764.1750, 764.2000 and 764.400. In addition, 794.4000 is paired with 764.4000 for mobile repeater operation.

Presently the State of North Carolina has configured in excess of eight thousand (8000) radios operating on the state's Voice Interoperability Project for Emergency Responders (VIPER) radio system that include the above channels for direct radio to radio interoperability in their radio programming. The State is poised to deliver an additional 1500+ radios to state and local emergency responders within the next 90 days that will need to continue to interface with radios already in emergency responder hands. Without approval of a waiver from the Commission, deployments of additional radios based upon the newly apportioned band plan will result in the inability of emergency responders, both within the same agency and with partner agencies, to effectively communicate on scene.

Furthermore, the State of North Carolina wishes for the Commission to reconsider the limited funding that it has set aside from the "D" block licensee to provide for the "re-banding" of these units. Based upon a reasonable cost for reprogramming of the North Carolina subscribers alone, where the cost per unit is likely to be \$30-40 per subscriber radio, we stand to consume over half to two-thirds of the \$500,000.00 allotment for the entire nation.

In summary and in direct response to the requirements of the Commission's Second Report and Order, we provide for consideration the following responses:

1. The total number of narrowband mobile and portable subscriber units in operation as of 10/22/2007 that utilize channels 63 and 68 (764-767/794-797 MHz) and the upper 1 megahertz of channels 64 and 69 (775-776/805/806 MHz) **IS 8262.**
2. The area of operation for the above subscriber units is the overall boundaries of the State of North Carolina.
3. The total number of narrowband base stations **IS 0.**
4. The location, in latitude and longitude, of the identified base stations is **NOT APPLICABLE.**
5. The contact information for all inquires in regard to mobile and portable handsets is: **Mr. Michael Hodgson, North Carolina State Highway Patrol, 3318 Garner Road, Raleigh, NC 27610.**

The State of North Carolina respectfully requests that the Commission consider the state's position and request for a waiver.

Respectfully submitted,

Michael T. Hodgson,
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VIPER Project,
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cc: Captain Alan Melvin
Mr. Harold Meacombs